

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARLETTE BARNES,
next friend and legal guardian
of Key' Asja McCaw,

Plaintiff,

v.

CIVIL NO.: 12-10073
HON. LAWRENCE P. ZATKOFF

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**OPINION AND ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This matter is before the Court on Defendant's Motion to Dismiss Plaintiff's Complaint for lack of subject matter jurisdiction. Plaintiff's Complaint pertains to Plaintiff's application for Social Security disability insurance benefits. The Court is also in receipt of Magistrate Judge David R. Grand's Report and Recommendation, wherein the Magistrate Judge recommends that Defendant's Motion to Dismiss be granted and Plaintiff's Complaint be dismissed without prejudice. Neither party filed any objections to the Report and Recommendation.

After a thorough review of the court file and the Report and Recommendation, this Court will adopt the Report and Recommendation and enter it as the findings and conclusions of this Court. Accordingly, Defendant's Motion to Dismiss is GRANTED and Plaintiff's cause of action is hereby DISMISSED WITHOUT PREJUDICE. Judgment shall be entered accordingly.

IT IS SO ORDERED.

June 15, 2012

s/LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE